



12/29/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on **December 29, 2001** in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number **EF404873490US**, addressed to the Assistant Commissioner of Patents, Washington, DC 20231.

Attorney Docket No.: DCI-19C

First Named Inventor:

Joseph Zeck

EF 404873490 US

Jay R Beyer

jc542 U.S. PTO
10/040726
12/29/01

UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR § 1.53(b))
(Continuation, Divisional or Continuation-in-part application)

U. S. Patent and Trademark Office
Box Patent Application
Washington, D.C. 20231

☒ Duplicate for fee processing

Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:
Joseph Zeck and Stuart G. Emigh

For: **PORTABLE LOCATOR INCLUDING A GROUND MARKING ARRANGEMENT**

This application is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part application of copending prior application number 09/539,899 filed on **March 30, 2000**, from which priority under 35 U.S.C. §120 is claimed.

Application Elements:

- ☒ 10 Pages of Specification, Claims and Abstract
☒ 4 Sheets of formal Drawings
☒ 3 Declaration

☐ Newly executed (original or copy)

☒ Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional). The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

Accompanying Application Parts:

- ☒ Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)
☐ Power of Attorney
☐ 37 CFR 3.73(b) Statement by Assignee
☒ Information Disclosure Statement with Form PTO-1449 ☐ Copies of IDS Citations
☐ Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)
☒ Return Receipt Postcard
☒ Small Entity Statement(s) ☒ Statement filed in prior application. Status still proper and desired.
☐ Request and Certification under 35 USC 122(b)(2)(B)(i).
☐ Appendix including a marked-up copy of the originally filed parent application indicating changes made to the parent application and included in the subject application. No new matter has been added.
☐ Other:

Claim For Foreign Priority

- ☐ Priority of _____ Application No. _____ filed on _____
is claimed under 35 U.S.C. § 119.
- ☐ The certified copy has been filed in prior application U.S. Application No. _____
- ☐ The certified copy will follow.

Extension of Time for Prior Pending Application

- ☐ A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

Amendments

- ☐ Amend the specification by inserting before the first line the sentence: "This is a
- ☐ Continuation ☐ Continuation-in-part ☐ Divisional
application of copending prior
- ☐ Application No. _____, filed on _____,
- ☐ International Application _____ filed on _____ which
designated the United States,
the disclosure of which are incorporated herein by reference."
- ☐ Cancel in this application original claims _____ of the prior application
before calculating the filing fee. (*At least one original independent claim must be retained.*)

Fee Calculation (37 CFR § 1.16)

	(Col. 1)	(Col. 2)	<u>SMALL ENTITY</u>		<u>OR</u>	<u>LARGE ENTITY</u>	
	<u>NO. FILED</u>	<u>NO. EXTRA</u>	<u>RATE</u>	<u>FEE</u>		<u>RATE</u>	<u>FEE</u>
BASIC FEE			\$370	\$370	OR	\$740	\$
TOTAL CLAIMS	<u>37</u>	-20 = <u>17</u>	x9 =	\$153	OR	x18 =	\$
INDEP CLAIMS	<u>5</u>	-03 = <u>2</u>	x42 =	\$ 84	OR	x84 =	\$
[] Multiple Dependent Claim Presented			\$140 =	\$	OR	\$280 =	\$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			Total	\$607	OR	Total	\$

☒ Check No. 3486 the amount of \$647.00 to cover the Application fee and the Assignment Recordation fee is enclosed.

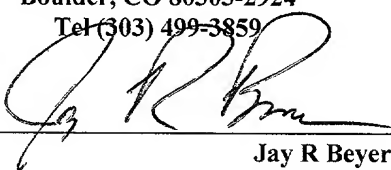
☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 19-1685 (Order No. DCI-19C).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

- ☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed.
- ☒ Please send correspondence to the following address: Customer Number 21833

Jay R Beyer
Boulder Patent Services
1021 Gapter Road
Boulder, CO 80303-2924
Tel (303) 499-3859

Date: December 29, 2001


Jay R Beyer
Registration No. 39,907